

# **EXHIBIT 23**

DESIGNATIONS OF VNA FROM THE  
DEPOSITION OF RICHARD SNYDER

The deposition transcript(s) is/are submitted herewith and highlighted to reflect testimony designated (by any party) with is not objected to, testimony designated by a defendant and objected to by Plaintiffs, and testimony designated by Plaintiffs and objected to by a defendant.

					<b>RULING</b>	
<b>FROM</b>	<b>TO</b>	<b>P OBJ</b>	<b>L OBJ</b>	<b>V OBJ</b>	<b>Sustained</b>	<b>Overruled</b>
17:24	18:12					
17:24	19:6					
19:7	19:11					
19:12	20:9					
20:10	21:2					
21:3	21:20					
21:3	22:17	21:8 – 22:17; Relevance, 403				
23:5	25:20	Relevance, 403			✓	
27:19	28:24	Relevance, 403			✓	
29:16	30:20					
30:2	30:24					
31:1	33:14					
35:10	36:12					
35:10	38:9					
36:19	38:9					
38:11	39:18					
38:11	40:22	39:19 – 40:14; Relevance, Speculation, Foundation, 403, cumulative as to next question/answer			✓	
40:24	41:19					
42:5	42:17					
44:7 (Begin with	46:21	46:20 Not testimony			✓	

FROM	TO	P OBJ	L OBJ	V OBJ	RULING	
					Sustained	Overruled
"Besides")						
44:18	46:19					
46:21	46:21					
47:7	48:5	47:7 – 47:10 form; cumulative with next question and answer			✓	
48:6	48:21					
49:5	49:23					
49:17	52:16	49:24 – 50:1 Not testimony			✓	
50:23	52:16					
52:17	53:6					
53:7	55:17	54:11 – 55:1 Prejudicial > Prob. 403				✓
53:12	53:23					
54:1	54:10					
55:2	55:7					
55:9	55:17					
55:24	56:18					
55:24	56:24					
57:16	58:4					
57:21	58:22	58:5 – 58:6 Not testimony			✓	
58:7	58:14					
58:23	59:12	Form; Examiner Testifying			✓	
59:14	60:6	59:14 – 60:1 Answer to improper question				✓
		60:2 – 60:6 Form; Examiner Testifying; foundation			✓	
60:8	60:8	Not testimony; Answer to improper testimony <i>question</i>			✓	
60:19	62:18	60:19 – 61:18 Form; 403; Cumulative			✓	

					<b>RULING</b>	
<b>FROM</b>	<b>TO</b>	<b>P OBJ</b>	<b>L OBJ</b>	<b>V OBJ</b>	<b>Sustained</b>	<b>Overruled</b>
		60:19 – 62:18 403; Relevance			✓	
61:19	61:23					
63:13	66:18	63:13 – Relevance; 403; form; Not testimony		cannot be excised, & don't		✓ <i>Heir</i>
64:4	64:13					
64:19	65:11					
66:19	66:19	66:19 – 66:19 Not Testimony			✓	
66:23	67:7					
66:23	68:24	66:23 – 68:2; Relevance, 403			✓	
		68:22 – Not Testimony			✓	
67:11	68:21					
68:23	68:24					
69:2	69:12	69:6 – 69:7 from “which was part...” through “this testimony,” MIL; Hearsay			✓	
		69:12 Not Testimony & see OBJECTION at next designation			✓	
70:4	70:21					
70:4	70:23	70:4 – 70:15 – Not testimony, Relevance, 403			✓	
		70:22 – Not Testimony			✓	
70:23	71:4	70:24 – 71:2 Not Testimony; Examiner testifying			✓	
71:5	71:9	Relevance; 403				✓
71:19	72:17	Relevance; 403; >Prejudicial than probative			✓	



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What about pp 73-76?

					RULING	
FROM	TO	P OBJ	L OBJ	V OBJ	Sustained	Overruled
		77:10; not testimony			✓	
77:4 (starting "As you...")	77:9					
77:11	77:23					
78:1	78:4					
78:1	80:9	78:1 – 78:8; form; responsiveness; cumulative with next question			✓	
		78:5 – Not testimony			✓	
		78:12 – Not testimony			✓	
		78:9 – 80:9 form; calls for legal conclusion; speculation; foundation; requires expert opinion			✓	
78:6	78:11					
78:13	79:13					
79:16	80:9					
80:17	81:1	Form; calls for legal conclusions; speculation; foundation; requires expert opinion				
82:9	85:6	82:9 – 82:22 form; unresponsive; foundation  82:23 – 83:4 through "now is;" Form  83:4 – 83:12 Form, foundation				

					<b>RULING</b>	
<b>FROM</b>	<b>TO</b>	<b>P OBJ</b>	<b>L OBJ</b>	<b>V OBJ</b>	<b>Sustained</b>	<b>Overruled</b>
		83:13 – 83:14; Not Testimony			✓	
		83:15 – 83:20; Form			✓	
		83:21 – 85:6; Relevance; Form; 403			✓	
87:3	89:13	87:3 – 88:3 Relevance; Form; 403; Not testimony			✓	
		88:4 – 89:5 Relevance; Form; Not Testimony			✓	
		89:6 – 89:13 Relevance			✓	
87:6 (starting “your officials ...”)	87:24					
92:8	92:24	MIL; Relevance; 403				
94:18	96:6	MIL; Relevance; 403				
95:1 (starting “the story”)	95:4					
96:19	98:22	MIL; Relevance; 403			✓	
99:9	101:14	MIL; Relevance; 403			✓	
102:2	102:14					
102:2	104:10	Form; Relevance; 403; Elicits Improper Testimony			✓	
102:16	103:24					
105:1	110:14	105:6 – 105:7 Not Testimony			✓	

*he cannot remember*  
*this is all confusing*  
*and not productive*

					<b>RULING</b>	
<b>FROM</b>	<b>TO</b>	<b>P OBJ</b>	<b>L OBJ</b>	<b>V OBJ</b>	<b>Sustained</b>	<b>Overruled</b>
		105:21 Not Testimony			✓	
		105:23 – 106:6 Form, cumulative; Not Testimony				✓
		106:15 – 106:20 Incomplete Answer; Form; Cumulative			✓	
		108:20 – 109:2 Form			✓	
		109:6 – 109:9 Form; Not a Question			✓	
107:14	108:13					
108:20	110:16					
110:15	110:16					
110:24 (starting “Why was...”)	111:1					
110:24	112:15	110:24 – 111:1 Form; Calls for speculation; Foundation			✓	✗
		111:2 Not Testimony			✓	
		111:3 – 111:17 Form; Calls for Speculation; Foundation; Not Testimony				✓
		111:19 from “In other words...” through 111:21; Form; Calls for Speculation; Foundation			✓	

FROM	TO	P OBJ	L OBJ	V OBJ	RULING	
					Sustained	Overruled
		112:2 – 112:11 Form; Calls for Speculation; Foundation			✓	
		112:12 Not Testimony			✓	
		112:13 – 112:15 Form; Calls for Speculation; Foundation			✓	
111:3	111:10					
111:12	112:11					
112:13	112:15					
112:22 (starting “It was...”)	113:2	Hearsay; calls for speculation; Foundation;			✓	
113:3	114:13	113:3 – 113:17 Form; Cumulative with next question; Not Testimony			✓	
114:14	115:2			Vague, foundation, and likely to confuse the jury as it is not clear what “consultants” are being discussed	✓	
114:22	115:2					
115:4	115:7			Vague, foundation, and likely to confuse the jury as it is not clear what “consultants” are being discussed	✓	
115:4	115:11					

					<b>RULING</b>	
<b>FROM</b>	<b>TO</b>	<b>P OBJ</b>	<b>L OBJ</b>	<b>V OBJ</b>	<b>Sustained</b>	<b>Overruled</b>
115:13	115:14					
115:15	115:20					
116:5	117:21	116:13 from "Well that brings up..." through 116:14 "an interesting point"; Form  117:12 – 117:13 Not Testimony			✓  ✓	
117:22	117:24					
118:5	119:16	118:15 – 118:15; Cumulative  119:12 from "What I should say..." through 119:16; >Prejudicial than Probative; 403; Calls for speculation; foundation			118:12-15 — This is simply confused	excluded
119:21	122:21					
119:21	123:7	120:10 through 120:12; Cumulative  121:16 – 121:20 Form  122:15 – 122:18 through "alley"; Form  122:21 – 123:2 Form				✓  no one cares about this ✓  ✓ OK, once is OK
122:24	126:17	126:1 – 126:2 Form  126:7 – 126:17 Form, Argumentative				✓  ✓
123:15	126:6					
126:19	127:4	126:19 – 126:21 Answer to Improper Question			✓	

FROM	TO	P OBJ	L OBJ	V OBJ	RULING	
					Sustained	Overruled
126:22	127:21	126:22 – 127:21 Form; Calls for Speculation; Foundation			✓	
127:6	127:19					
127:21	127:21					
128:2	128:14					
128:2	130:13	128:15 Not Testimony			✓	
		128:22 – 128:23 Not Testimony			✓	
		129:4 – 130:13 Form; Calls for Speculation; Foundation; Not Testimony; Questions intended to harass and/or intimidate the witness			✓	
128:16	128:21					
128:24	129:14					
129:19	129:22					
129:24	130:4					
130:6	130:9					
130:11	130:13					
130:14	131:12	131:6 Not Testimony			✓	
131:13	131:20					
131:21	133:15	132:11 – 132:12 Not Testimony			✓	
		132:21 – 133:3 Form; Speculation; Foundation; Not Testimony			✓	
		133:11 – 133:15 Form; Speculation;			✓	

*he already testified this on*

FROM	TO	P OBJ	L OBJ	V OBJ	RULING	
					Sustained	Overruled
		Foundation; Not Testimony				
134:2	134:4					
134:2	137:1	134:5 – 134:6 Not Testimony			✓	
		135:4 – 136:6 Form; Speculation; Foundation			✓	
		136:7 – 137:1 Form; Foundation; Calls for Speculation			✓	
134:7	135:16					
138:18	136:16					
136:19	139:24					
137:8	137:21					
138:3	141:2	140:1 Not Testimony				
		140:6 – 140:16 Cumulative; Form			✓	
		140:17 – 141:2 Form; Foundation; Calls for Speculation			✓	
140:2	140:8					
140:12	140:14					
140:16	140:16					
141:3	141:5					
141:10	141:12					
141:16	142:11	Form; Foundation; Calls for Speculation				✓
141:16	143:9	142:12 – 142:16 Form; Foundation; Calls for Speculation				✓
		142:17 – 143:9 Form; Foundation; Calls for Speculation				

*he does not know what someone else was saying.*



FROM	TO	P OBJ	L OBJ	V OBJ	RULING	
					Sustained	Overruled
142:17	143:9					
144:21	146:1	145:17 Not Testimony			✓	
		145:20 – 146:1 Form; Foundation; Speculation; Best Evidence Rule			✓	
146:10	146:23					
147:9	148:18					
148:19	150:11	149:24 – 150:11 Form; Foundation; Calls for Speculation;				✓
150:23	151:14					
151:15	151:24					
152:1	152:15					
152:16	154:7	152:16 from “- and...” through 152:17 “...these other emails;” form			✓	
		152:21 Not Testimony			✓	
154:15	155:20	154:15 – 155:5 Form; Foundation; Calls for Speculation				✓
158:23	159:7					
159:2	160:10					
159:10	160:5					
161:2	161:24					
161:2	163:22	161:14 from “Ok. So using...” through 161:17 “...common sense questions;” Form			✓	
		162:1 Not Testimony			✓	
		162:23 - 163:4 Form			✓	

<u>FROM</u>	<u>TO</u>	<u>P OBJ</u>	<u>L OBJ</u>	<u>V OBJ</u>	<u>RULING</u>	
					<u>Sustained</u>	<u>Overruled</u>
		163:5 - 163:22 Form				✓
162:2	163:12					
163:14	163:22					
164:7	165:14	164:7 – 164:22 Form				✓
164:7	166:9	165:15 – 165:18 Relevance			✓	
165:19	166:9					
182:7	183:15					
182:7	183:24	183:21 – 183:24; Relevance; Calls for Speculation; Foundation			✓	
184:1	184:22	184:1 – 184:5 Relevance			✓	
		184:16 – 185:4 Hearsay; Form; Calls for Speculation; Foundation			✓	
184:1	185:15	184:23 – 185:15 Elicits testimony with improper question; Hearsay; Form; Calls for Speculation; Foundation			✓	
185:21	188:17	185:21 – 185:24 Hearsay; Form; Foundation; Calls for Speculation			X	
186:1	189:12	186:1 – 186:11 Hearsay; Form; Foundation; Calls for Speculation			✓	
		186:12 – 187:11 through “around this time frame;” Hearsay; Form;			✓	

*question gets to individuals who are NOT relevant.*

FROM	TO	P OBJ	L OBJ	V OBJ	RULING	
					Sustained	Overruled
		Foundation; Calls for Speculation				
		187:16 – 188:17 Hearsay; Calls for speculation; Foundation			✓	
		188:24 – 189:5 Form; Foundation; Calls for Speculation				✓
		189:6 Not Testimony			✓	
		189:7 – 189:12 Responsive to prior question, and cannot be played if the objection to the question is sustained				✓
190:2	190:8	Relevance; Foundation			✓	
192:18	193:15					
193:17	195:2			193:23 – 195:2 Relevance, Prejudicial reference to funds and/or grant money given to Flint		✓
211:14	212:16			211:14 – 212:12 Relevance, Prejudicial reference to funds and/or grant money received by Flint in response to water crisis	✓	

*& believe money  
was already  
testified to  
all of this*

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*this adds nothing  
to the already  
testimony*

<u>FROM</u>	<u>TO</u>	<u>P OBJ</u>	<u>L OBJ</u>	<u>V OBJ</u>	<u>RULING</u>	
					<u>Sustained</u>	<u>Overruled</u>
				212:13 – 212:16 Relevance, Foundation	✓	
212:21	214:22	212:21 – 213:6 Hearsay; Calls for Speculation				✓
		212:20 Not Testimony 2,				
		213:21 – 213:24 through “...the KWA” Improper Legal Conclusion; Rule 403			✓	
		214:5 from “So there was a...” through 214:6; unresponsive if the prior objection is sustained related to Legal Conclusion			✓	
		214:7 from “Other than the potential...” through 214:8 “...financial issues” Form; Improper Legal Conclusion; Relevance			✓	
213:7	213:16					
214:7	214:22					
214:23	215:7					
215:9	215:17					
215:18	216:7					
216:15	218:7					
216:15	219:1	216:15 – 217:17 Hearsay; Calls for Speculation; Foundation				

<u>FROM</u>	<u>TO</u>	<u>P OBJ</u>	<u>L OBJ</u>	<u>V OBJ</u>	<u>RULING</u>	
					<u>Sustained</u>	<u>Overruled</u>
				212:13 – 212:16 Relevance, Foundation	✓	
212:21	214:22	212:21 – 213:6 Hearsay; Calls for Speculation				✓
		212:20 Not Testimony 2,				
		213:21 – 213:24 through “...the KWA” Improper Legal Conclusion; Rule 403			✓	
		214:5 from “So there was a...” through 214:6; unresponsive if the prior objection is sustained related to Legal Conclusion			✓	
		214:7 from “Other than the potential...” through 214:8 “...financial issues” Form; Improper Legal Conclusion; Relevance			✓	
213:7	213:16					
214:7	214:22					
214:23	215:7					
215:9	215:17					
215:18	216:7					
216:15	218:7					
216:15	219:1	216:15 – 217:17 Hearsay; Calls for Speculation; Foundation			✓	

FROM	TO	P OBI	L OBI	V OBI	RULING	
					Sustained	Overruled
		218:3 Form				✓
		218:14 Not Testimony			✓	
		218:22 – 219:1 Form; Foundation; Assumes Facts not in Evidence	Simply not relevant too.		✓	
		219:2 – 219:2 Not Testimony			✓	
219:3	219:20					
219:6	219:16					
224:20	226:21	224:20 – 225:7 Form; Foundation; Hearsay; Calls for Speculation	question is confusing		✓	
		225:8 – 225:9 Not Testimony			✓	
		225:10 – 225:11 Not Testimony			✓	
		225:18 – 226:1 Testimony relies on Hearsay; Best Evidence Rule; Calls for Speculation; Foundation		please re-read this rule!		✓
		226:15 Not Testimony			✓	
227:4	228:17					
228:19	229:3					
229:5	229:9			229:1 – 229:6 Foundation; Cumulative		✓
229:11	229:14			229:7 – 229:14 Foundation, cumulative		✓

					<b>RULING</b>	
<b>FROM</b>	<b>TO</b>	<b>P OBJ</b>	<b>L OBJ</b>	<b>V OBJ</b>	<b>Sustained</b>	<b>Overruled</b>
229:16	229:18			229:17 – 229:21 Relevance, Prejudicial references to Legionnaires’ Disease	✓	
229:20	230:2			229:17 – 229:21 Relevance, Prejudicial references to Legionnaires’ Disease  229:22 – 230:4 Foundation, cumulative	✓	✓
230:4	230:8			230:5 – 230:11 Foundation, cumulative		✓
230:10	230:15			230:12 – 230:20 Foundation, cumulative		✓
230:17	230:20			230:12 – 230:20 Foundation, cumulative		
230:21	231:4	230:21 – 231:4 Form; Foundation; Calls for Speculation				✓
231:13	231:18	Form; Hearsay; Not a question			✓	
233:2	234:4	233:2 – 233:10 Form; Hearsay; Best Evidence Rule  233:11 – 233:12 Not Testimony  233:13 – 233:15 Answer to improper	<p><i>question is garbled up and we don't know whose notes they are or witness never saw them.</i></p>			

<u>FROM</u>	<u>TO</u>	<u>P OBJ</u>	<u>L OBJ</u>	<u>V OBJ</u>	<u>RULING</u>	
					<u>Sustained</u>	<u>Overruled</u>
		question; Hearsay; Relevance  233:16 – 234:4 Form; Foundation; Vague; Calls for Speculation; Hearsay			✓	
234:8	234:13	Hearsay; Foundation			✓	
234:21	235:21	234:21 – 235:2 Form; Hearsay; Foundation; Calls for Speculation  235:5 from “as noted...” through 235:6 “...by his notes” Form; Calls for Hearsay testimony  235:9 – 235:10 Not Testimony  235:11 – 235:21 Calls for Hearsay; Form; Best Evidence Rule; Calls for Speculation; Foundation			✓  ✓  ✓  ✓	
235:22	236:12	235:22 – 236:4 Form; Improper Hypothetical; Foundation; Calls for Speculation  236:5 – 236:10 Not Testimony  236:11 – 236:12 Call for answer to improper testimony			✓  ✓  ✓	
236:16	237:12	236:16 – 236:22 Calls for Hearsay;			✓	



FROM	TO	P OBI	L OBI	V OBI	RULING	
					Sustained	Overruled
		Form; Foundation; Best Evidence Rule; Calls for Speculation			✓	
		236:23 Not Testimony			✓	
		236:24 – 237:7 Calls for an answer to improper question; hearsay; calls for speculation; Foundation			✓	
239:18	240:10	239:18 – 240:1 Form; Foundation; Calls for Speculation; Hearsay			✓	✓
		240:2 Not Testimony				
		240:3 – 240:10 Hearsay; Calls for speculation; foundation				✓
240:16	241:4	240:16 – 241:4 Hearsay; Calls for Speculation; Foundation; Form				✓
240:16	244:21	241:5 – 241:7 Cumulative				✓
		242:18 – 242:22				
241:8	242:17	241:8 – 241:24 Hearsay; Calls for Speculation; Foundation; Form	If counsel wants to ask this Q, well, go ahead.			✓
		242:1 Not Testimony			✓	
		242:2 – 242:4 Hearsay; Form;				✓

FROM	TO	P OBJ	L OBJ	V OBJ	RULING	
					Sustained	Overruled
		Calls for Speculation; Foundation  242:5 – 242:11 Calls for testimony based on hearsay; form; foundation; calls for speculation; relevance		<i>it's a sensesless question</i>	—	✓
242:23	244:21	243:11 – 243:12 Calls for Speculation; Foundation; Form  243:13 – 243:14 Not Testimony  243:15 – 244:21 Calls for Hearsay testimony; Calls for speculation; Foundation; Form		<i>This is not moving the case forward</i>	✓ ✓ ✓	<i>for plaintiffs or defendants</i>
249:19	249:22					
249:19	250:1	249:22 “against your administration” assumes facts not in evidence; foundation  249:23 Not Testimony			✓ ✓	
249:24	250:1					
250:11	250:13					
250:11	250:18					
250:14	251:23	250:14 – 250:18 Vague; Form; Calls for Speculation; Foundation  250:19 Not Testimony			✓	✓

<b>FROM</b>	<b>TO</b>	<b>P OBJ</b>	<b>L OBJ</b>	<b>V OBJ</b>	<b>RULING</b>	
					<b>Sustained</b>	<b>Overruled</b>
		250:20 – 251:11 Vague; Form; Calls for Speculation; Foundation				✓
		251:12 – 251:23 Form; Foundation; Calls for Speculation				✓
250:20	250:22				✓	
250:24	252:1	251:24 – 252:1 Not Testimony			✓	
252:7	253:15	252:7 – 252:11 Best Evidence Rule; Calls for Speculation; Foundation; Wrong Witness				✓
252:12	253:23	Best Evidence Rule; Calls for speculation; Foundation; Wrong witness				✓
253:17	253:23					
254:5	254:15			Relevance, Prejudicial reference to funds given to Flint in response to water crisis	✓	
254:16	254:24	Best Evidence Rule; Calls for Speculation; Foundation; Wrong Witness			✓	
255:5	256:5	255:5 – 255:15 Best Evidence Rule; Calls for Speculation; Foundation; Wrong Witness			✓	
		256:4 – 256:5 Compound Question; Calls for Expert Testimony;				✓

					<b>RULING</b>	
<b>FROM</b>	<b>TO</b>	<b>P OBJ</b>	<b>L OBJ</b>	<b>V OBJ</b>	<b>Sustained</b>	<b>Overruled</b>
		Foundation; Form; Calls for Speculation				
255:16	256:3	Begins halfway through question; Best Evidence Rule; Calls for Speculation; Foundation; Wrong Witness			✓	
256:8	256:15	256:8 – 256:11 Testimony elicited from improper question; Calls for Speculation; Foundation	256:4 – 256:11			✓
256:12	257:5	256:16 Not Testimony			✓	
256:17	257:5					
258:14	258:14					
258:16 (From “my name is”)	258:17 through “Stern”					
260:11	261:24					
260:23	261:24					
262:9 From “in that point”	263:2		262:15 Objection should be removed		✓	
263:4	263:7					
263:8 From “what was”	264:11					
264:23	265:4					
265:6	267:4					
267:6 From “how did you find”	270:20					
269:5	270:20					

FROM	TO	P OBJ	L OBJ	V OBJ	RULING	
					Sustained	Overruled
270:24 From "But as part of"	271:12					
271:9	271:12					
271:21	272:24					
273:6 From "at any point"	273:11		273:12 Calls for speculation, incomplete hypothetical, vague	Asked and answered, leading, vague, calls for speculation	✓	
273:13	273:24			Asked and answered, vague, calls for speculation	✓	
281:22 From "and there was a period"	282:3					
282:11	283:17					
282:12 From "do you believe"	282:20					
282:23	283:17					
283:18	283:22					
285:4	285:13					
285:8	285:13					
288:24	289:17					
289:23	290:20					
290:10 From "you knew at"	290:20					
290:21	291:7					
291:8	291:18					
292:15	292:24	Relevance to THIS case			✓	
293:22	295:19	Relevance to THIS case			✓	

FROM	TO	P OBJ	L OBJ	V OBJ	RULING	
					Sustained	Overruled
302:1	303:22	Relevance to THIS case			✓	
307:23	308:18	308:9 – 308:10 Not Testimony			✓	
308:19	309:5					
309:1	309:5					
309:17	310:4	Relevance to THIS case			✓	
310:14 From “and I’m going to mark”	310:16					
310:20	311:15					
311:18 From “Mr. Muchmor e in response”	311:24					
312:12	313:12					
312:14	313:12					
314:6	314:9					
315:14	315:20					
315:14	317:7					
317:3	319:7	318:8 Not Testimony				
317:9	317:13					
318:21	319:7					
319:12	320:6					
322:7	322:16					
322:11	324:12	322:17 Not Testimony			✓	
322:18	322:24					
325:2	325:13	325:6 Not Testimony			✓	
325:21	326:23					
327:8	328:7					
330:17 From “I’m	330:18 through					

not sure this can be  
used and still  
make sense

FROM	TO	P OBJ	L OBJ	V OBJ	RULING	
					Sustained	Overruled
going to mark this"	"Exhibit 32"					
330:22	331:18					
333:2	334:17	333:2 – 333:6 Hearsay  334:8 – 334:17 Improper Expert Testimony; Improper Opinion Testimony; Foundation	agreed. goodness of evidence		✓	
333:6	333:16 through "having problem"				✓	
333:21	334:7					
335:1	335:6					
335:8	335:21					
335:22	336:8					
335:22	336:9					
335:22	337:4					
336:9 From "I"	337:4					
337:5	337:14					
337:5	338:4					
338:7	338:21					
338:15	338:21					
339:22	341:8					
339:24 From "you also had"	340:11					
340:17 From "do you recall"	341:2					
341:13	343:6					
342:12	342:13 through					



					RULING	
FROM	TO				Sustained	Overruled
	"summer of 2015"					
342:15 From "when a gentleman"	344:2					
343:11	344:2					
344:5 From "if there were people"	344:12					
344:14	345:13			Asked and answered, mischaracterizes prior testimony, leading, calls for speculation, vague		✓
345:15	345:20			Asked and answered, calls for speculation, vague		✓
345:23 (Beginning with "I'll represent to you")	346:13					
346:15 From "if you had credible"	346:20		346:21 incomplete hypothetical, calls for speculation, vague	Asked and answered, cumulative, leading, calls for speculation, vague)		✓
346:22	346:24			Asked and answered, cumulative, calls for speculation, vague		✓



					RULING	
					Sustained	Overruled
FROM	TO					
347:24	348:2					
348:4	348:6					
349:14	349:16 through "Chen Depositi on 3"					
349:16 (Beginni ng with "And I'll")	349:21					
351:17 From "a lot of this"	351:20 through "Februar y of 2015"			Foundation, leading, assumes facts not in evidence	✓	
352:3	352:10			Foundation, leading, assumes facts not in evidence		✓
352:13	352:18			Foundation, leading, assumes facts not in evidence		✓
353:2	357:10		354:16 Remove objection <i>Sustained</i>	Foundation, leading, assumes facts not in evidence, calls for speculation, hearsay, asked and answered, cumulative, vague		✓
357:12	357:22			Vague, leading, calls for speculation, asked and answered, cumulative		✓
357:24	358:20		358:7 Remove objection	Vague, leading, calls for speculation,		✓



FROM	TO	P OBJ	L OBJ	V OBJ	RULING	
					Sustained	Overruled
				asked and answered, cumulative		
358:22	358:23					
359:4	359:5 through "Exhibit 34"					
359:16	359:20					
359:21	359:24 through "Address"					
360:3 From "and she's writing"	360:4					
360:11 From "and she"	360:24			Foundation, leading, hearsay		✓
361:14	362:6					
363:12	363:17			Foundation, leading, hearsay		✓
363:24	364:23 through "I assume"			Foundation, leading, hearsay, vague, mischaracterizes prior testimony		✓
365:1	365:5			Foundation, leading, calls for speculation, vague		✓
366:16	366:17					
366:24	367:2 through "February 9"					
367:4 From "and this	367:5					



					<u>RULING</u>	
<u>FROM</u>	<u>TO</u>	<u>P OBJ</u>	<u>L OBJ</u>	<u>V OBJ</u>	<u>Sustained</u>	<u>Overruled</u>
was previously						
367:7 From "I'll represent to you"	367:11 through "story"					
367:18	368:17			Foundation, leading, hearsay		✓
368:24	369:4			Foundation, leading argumentative, calls for speculation, vague		✓
369:6	369:13			Foundation, leading, argumentative, calls for speculation, vague		✓
369:15	369:19			Foundation, leading, argumentative, calls for speculation, vague		✓
369:24	369:24			Foundation, calls for speculation, vague		✓
370:6	370:16 through "letter"					
370:21	372:15			Foundation, leading, hearsay, assumes facts not in evidence, asked and		✓



					RULING	
FROM	TO	P OBJ	L OBJ	V OBJ	Sustained	Overruled
				answered, cumulative		
372:17	373:3			Leading, argumentative, vague, calls for speculation, mischaracterizes prior testimony		✓
373:5	373:7			Foundation, assumes facts not in evidence, calls for speculation, vague, asked and answered/cumulative		✓
373:14	373:17			Foundation, leading, argumentative, vague, calls for speculation, asked and answered/cumulative		✓
373:19	373:23			Leading, calls for speculation, asked and answered/cumulative		✓
374:1	374:2					
374:7	374:8 through "Exhibit 37"					
374:11 From "on"	374:23			Foundation, leading, asked and answered/cumulative, hearsay	✓	
375:1	375:14 through			Foundation, leading, asked	✓	

*W. who getting into this "little" too much, too long. Time to move on.*



					<b>RULING</b>	
<b>FROM</b>	<b>TO</b>				<b>Sustained</b>	<b>Overruled</b>
	"City of Flint"			and answered/cumulative, hearsay		
375:17 From "On"	376:4			Foundation, leading, argumentative, calls for speculation	✓	
376:6	376:7					
376:11	377:17			Foundation, assumes facts not in evidence, leading, asked and answered/cumulative, mischaracterizes contents of exhibits, hearsay	✓	
377:19	378:6			Foundation, leading, calls for speculation, argumentative, vague	✓	
378:8	378:12			Foundation, leading, asked and answered/cumulative, calls for speculation	✓	
378:14	379:12					
379:14	379:19			Asked and answered/cumulative, vague, mischaracterizes contents of exhibit	✓	
379:21	380:9			Asked and answered/cumulative, calls	✓	



FROM	TO	P OBJ	L OBJ	V OBJ	RULING	
					Sustained	Overruled
				for speculation, leading, vague		
380:10	380:21			Asked and answered/cumulative, vague	✓	
380:23	381:5					
381:15	381:21			Foundation, argumentative, leading, asked and answered/cumulative, vague, relevance		✓
381:23	382:3			Foundation, calls for speculation, asked and answered/cumulative, vague		✓
382:12 From "and you've said"	382:15		382:16 Incomplete hypothetical, calls for speculation, vague, asked and answered	Calls for speculation, asked and answered/cumulative, vague	✓	⊗
382:17	383:3		<i>cumulative</i>	Foundation, argumentative, leading, relevance, vague, cumulative	✓	
383:5	383:11			Foundation, calls for speculation, vague, cumulative	✓	
404:14	404:14					
405:15	408:10		408:4 Objection withdrawn		✓	



FROM	TO	P OBJ	L OBJ	V OBJ	RULING	
					Sustained	Overruled
			408:10 Question without answer			✓
408:11	408:11					
408:19	408:23		408:24 – 409:1 Foundation, calls for speculation		✓	
409:2	409:3					
409:19	410:10		410:11 – 410:12 Foundation, calls for speculation		✓	
410:13	410:19 through “to assist it”					
410:23	411:8					
411:20	412:18		412:19 Foundation, calls for speculation, Rule 403		✓	
412:21	413:1		413:2 – 413:3 Foundation, calls for speculation, Rule 403		✓	
413:4	413:4					
413:5	413:18	413:5 – 413:12 Hearsay; Best Evidence Rule			-	✓
413:24	414:4					
414:6 From “And we are ready”	414:20		414:21 – 414:22 Foundation, mischaracteriz es the evidence, calls for speculation, Rule 403		✓	



FROM	TO	P OBJ	L OBJ	V OBJ	RULING	
					Sustained	Overruled
414:23	416:2		416:3 Foundation; mischaracteriz es the evidence, calls for speculation			✓
416:4	416:15		416:6 – 416:7 Foundation, mischaracteriz es the evidence, calls for speculation			✓
416:18	416:18					
416:23	417:9		417:10 – 417:11 Foundation, mischaracteriz es the evidence, calls for speculation	not designated		✓ ?
417:12	417:15					
417:20 From "This is"	418:11		418:12 – 418:13 Foundation, mischaracteriz es the evidence, calls for speculation	not designated ✓		✓ ?
418:14	418:17		418:18 – 418:19 Foundation, mischaracteriz es the evidence, calls for speculation	not designated ✓		✓ ?
418:20	418:24		419:1 – 419:2 Foundation, mischaracteriz es the evidence, calls for speculation			
419:3	419:8		419:9 – 419:10 Foundation, mischaracteriz			

from now on,  
when not designated  
I will draw a  
line thru



FROM	TO				RULING	
					Sustained	Overruled
			es the evidence, calls for speculation, improper expert opinion, calls for legal conclusion			
419:11	419:22		419:23 – 419:24 Foundation, mischaracterizes the evidence, calls for speculation, improper expert opinion, calls for legal conclusion, incomplete hypothetical			
420:1	420:13		420:14 – 420:15 Foundation, calls for speculation			
420:16	420:23		420:24 – 421:1 Foundation, calls for speculation, improper expert opinion, calls for legal conclusion			
421:3	421:19		421:21 Foundation, mischaracterizes the evidence, calls for speculation, improper expert opinion, Rule 403			
421:23	422:13		422:14 – 422:15			



FROM	TO	P OBJ	L OBJ	V OBJ	RULING	
					Sustained	Overruled
			Foundation, mischaracterizes the evidence			
422:16	423:4		423:5 Mischaracterizes the evidence, calls for speculation			
423:6	423:10		423:10 Mischaracterizes the evidence, calls for speculation			✓
423:13	423:24		424:1 Mischaracterizes the evidence, calls for speculation			
424:2	424:6		424:7 – 424:8 Foundation, mischaracterizes the evidence, calls for speculation, incomplete hypothetical			
424:10	424:16		424:17 Assumes facts not in evidence, calls for speculation, incomplete hypothetical			
424:19	424:24		425:1 – 425:2 Calls for speculation			
425:3	425:9		425:10 Foundation, calls for speculation			
425:13	425:16		425:17 Foundation, calls for speculation,			



FROM	TO	P OBJ	L OBJ	V OBJ	RULING	
					Sustained	Overruled
			incomplete hypothetical			
425:18	425:24		426:1 – 426:2 Foundation, assumes facts not in evidence, mischaracteriz es the evidence, calls for speculation, incomplete hypothetical			
426:3	426:5					
427:1	427:7		427:8 Foundation, mischaracteriz es the evidence			
427:9	427:17		427:18 – 427:19 Foundation, mischaracteriz es the evidence			
427:20	428:2		428:3 – 428:4 Foundation, mischaracteriz es the evidence			
428:5	428:11		428:12 – 428:13 Foundation, mischaracteriz es the evidence			
428:14	428:19		428:20 – 428:21 Foundation, mischaracteriz es the evidence			
428:22	429:3		429:5 Mischaracteriz es the evidence			
429:5	429:7		429:8 Mischaracteriz es the evidence			
429:9	429:9					



FROM	TO	P OBJ	L OBJ	V OBJ	RULING	
					Sustained	Overruled
429:20	430:3		430:5 Foundation, mischaracteriz es the evidence			
430:6	430:6					
430:12	431:6		431:7 Document/exhi bit speaks for itself			
431:8	432:7		432:8 Foundation, mischaracteriz es the evidence, relevance			
432:9	432:15		432:16 – 432:17 Calls for speculation, mischaracteriz es evidence, incomplete hypothetical, relevance			
432:18	432:18					
433:13	434:15	Testimony directly subject to MIL – Task Force Report; Hearsay; Hearsay within Hearsay; Invokes Improper Legal Opinion			✓	
442:10	443:3	442:10 – 442:13; Calls for Speculation; Foundation; Calls for Legal Conclusion; Form  442:14 Not Testimony  442:15 – 443:3 Calls for speculation; Foundation; Calls			✓	



FROM	TO	P.O.B.	L.O.R.	V.O.B.	RULING	
					Sustained	Overruled
		for Legal Conclusion; Form; Counsel Objection Not Testimony; MIL – Task Force Report; Hearsay				
443:4	443:7		443:8 Foundation, calls for speculation, improper expert opinion, calls for a legal conclusion, relevance	Foundation, leading, argumentative, vague, calls for legal conclusion, relevance	<hr/>	
443:10	443:15		443:17 Foundation, calls for speculation, improper expert opinion, argumentative, calls for a legal conclusion, relevance	Foundation, legal conclusion, relevance, vague	<hr/>	
443:18	443:19			Foundation, legal conclusion, relevance, vague	<hr/>	
444:16	444:19	Relevance; 403; more prejudicial than probative; MIL			✓	
445:2	445:7	Relevance; 403; more prejudicial than probative; MIL			✓	
445:15	445:24	Relevance; 403; more prejudicial than probative; MIL			<del>✓</del>	✓
446:18	447:15	Relevance; 403; more prejudicial than probative; MIL; Foundation; Calls			✓	

He will have taken the 5th, Jury can assess that w/ this evidence. Not 403 for that reason.



FROM	TO	P OBJ	L OBJ	V OBJ	RULING	
					Sustained	Overruled
		for Speculation; Hearsay				
448:13	449:8	Relevance; 403; more prejudicial than probative; MIL; Foundation; Calls for Speculation; Hearsay			✓	
448:13	450:21	449:9 – 449:9 Not Testimony			✓	
449:10	450:21	Relevance; 403; more prejudicial than probative; MIL; Foundation; Calls for Speculation; Hearsay			✓	
451:12	451:14	Relevance; 403; more prejudicial than probative; MIL; Foundation; Calls for speculation; Hearsay			✓	
451:19	452:7					
452:19	453:17	Relevance; 403; more prejudicial than probative; Foundation; Calls for Speculation; Hearsay			✓	
454:4	455:18	Relevance; 403; more prejudicial than probative; Foundation; Calls for Speculation			✓	
498:20	500:5	Relevance; Calls for Speculation; Hearsay; <del>Best Evidence Rule;</del> Foundation			✓	
500:7	500:12					
501:3	501:15	Relevance; Foundation; <del>Best Evidence Rule</del>			✓	

none of this is  
relevant to the  
claims, defenses,  
or non-party at-issue issues

Relevance -